

UNITED STATES DISTRICT COURT

for the
Southern District of OhioIn the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)The Person Of Mario SYDNOR with a current
current address of Franklin Co. Jail, 2460 Jackson
Pike, Columbus, Ohio

Case No. 2:22-mj-36

APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

The Person Of Mario A SYDNOR Sr. (DOB 04/XX/1979 and SSN # XXX-XX-3707 and a current address of Franklin Co. Jail, 2460 Jackson Pike, Columbus, Ohio located in the Southern District of Ohio, there is now concealed (identify the person or describe the property to be seized):

a DNA sample, which will be obtained by placing a cotton swab inside the mouth of Mario SYDNOR and then rubbing the inside of his cheeks to obtain cellular material. Law enforcement personnel can use force if necessary.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☐ contraband, fruits of crime, or other items illegally possessed;
- ☐ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section
18 U.S.C. 922(g)(1)Offense Description
Felon in possession of a firearmThe application is based on these facts:
See attached Affidavit.

- ☐ Continued on the attached sheet.
- ☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.



Applicant's signature

Samuel Chappell ATF TFO

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
(specify reliable electronic means).

Date: January 21, 2022

City and state: Columbus, Ohio


 Kimberly A. Johnson
 United States Magistrate Judge


AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

I, Samuel L. Chappell, Task Force Officer (TFO), with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), being duly sworn, depose and state the following:

INTRODUCTION

1. I am currently employed as a police officer by the Columbus Police Department and have been with the department since 2007. As part of my duties, I am also currently assigned as a Task Force Officer (TFO) with ATF. My responsibilities as a TFO include the investigation of violent criminal street gangs, narcotics traffickers, money launderers, and fraud and firearm related crimes. I have participated in the execution of search warrants and arrests related to the above-referenced offenses.
2. I make this affidavit in support of an application for a warrant to search and obtain a Deoxyribonucleic Acid (DNA) sample from the person of **Mario A SYDNOR Sr.** (DOB 04/XX/1979 and SSN # XXX-XX-3707), who is currently an inmate in the custody of the Franklin County Sherriff's Office. As set forth in this affidavit, this DNA sample may constitute evidence of violations of 18 U.S.C. §§ 922(g)(1) and 924(a)(2) (felon in possession of a firearm).
3. This affidavit is intended to show that there is sufficient probable cause for the above-described search warrant and does not purport to set forth all of my knowledge of, or investigation into, this matter. The facts and information contained in this affidavit are based on my personal knowledge, my training and experience, my interviews of various witnesses, including law enforcement personnel who participated in the investigation, and my review of certain records and documents
4. On or about December 9, 2021, a federal search warrant was executed at 808 Gascony Dr. Reynoldsburg, Ohio 43068. The search warrant was executed as part of a larger federal investigation into narcotics trafficking and firearms possession by SYDNOR and others. Investigators believe that 808 Gascony Dr. is the primary residence used by SYDNOR, his girlfriend Lateisha JONES and children. Investigators using electronic and physical surveillance have placed SYDNOR at 808 Gascony on multiple occasions. Prior to the execution of the search warrant investigators observed SYDNOR leave the residence and return a short time later. Investigators executed the search warrant when SYDNOR was sitting inside of a vehicle parked in the driveway of the residence. Found inside the home during the execution of the search warrant was Lateisha JONES.
5. Once inside the home in the master bedroom investigators located a loaded FN model 509 9mm pistol bearing serial GKS0106580. The pistol was located in plain view on a nightstand next to the bed. Inside the nightstand investigators located paperwork with SYDNOR's name and the address of 808 Gascony Dr.

6. A loaded Taurus Spectrum 9mm pistol bearing serial 1F162396 was located in the same bedroom. This pistol was in the nightstand opposite the nightstand where the prior firearm was found. The Taurus was inside of a drawer on the nightstand.
7. I have conducted criminal history records check on SYDNOR and am aware that SYDNOR has at least two felony convictions in Franklin County, Ohio Court of Common Pleas that could result in more than one year of incarceration.
8. On or about January 3, 2003, SYDNOR was convicted of possession of drugs a felony of the fourth degree in case 02CR004453. On or about August 28, 2003, SYDNOR was convicted of trafficking in drugs a felony of the fourth degree in case 03CR002202. These convictions could have resulted in more than one year of imprisonment. These prior convictions prohibit SYDNOR from possessing a firearm.
9. On or about January 21, 2022, ATF TFO Chappell and CPD Officer Laird went to the Franklin County Jail to execute the DNA search warrant Case No 2:22-MJ-22. Investigators explained the warrant and gave SYDNOR a copy. SYDNOR refused to give a sample of his DNA. SYDNOR asked to speak to his lawyer Kevin Durkin. TFO Chappell called Mr. Durkin who explained the search warrant to SYDNOR. SYDNOR still refused to submit to the search warrant.
10. Based upon my experience and training, I am further aware that Taurus and FN firearms are manufactured outside the state of Ohio, thus necessitating travel in interstate commerce
11. The firearms and swabs from the firearms and magazines were submitted to the Columbus Police Crime Laboratory. The laboratory is qualified and certified to conduct DNA analysis. In order to determine if SYDNOR is a major contributor of any DNA recovered, a reference standard from SYDNOR is needed for comparison.
12. Based on the foregoing, I believe that there is probable cause to issue a search warrant and obtain a Deoxyribonucleic Acid (DNA) sample from the person of SYDNOR, as this DNA sample may constitute evidence of violations of 18 U.S.C. § 922(g)(1) (felon in possession of a firearm). Therefore, I request that the Court allow me and other authorized law enforcement officers to take a cotton swab and place it inside the mouth of SYDNOR, rubbing the inside of his cheek to obtain cellular material—this method allows officers to obtain saliva, and or topical or oral skin cells, by means of an oral swab. Based on my training and experience, I know that this procedure is quick, painless and involves minimal intrusion into the body. This warrant also permits authorities to execute the search warrant with force if necessary.

FURTHER AFFIANT SAYETH NAUGHT.



Samuel L. Chappell ATF TFO

Task Force Officer ATF

Subscribed to and sworn before me this day on January 21 of 2022.



Kimberly A. Tolson
United States Magistrate Judge



ATTACHMENT A

ITEMS TO BE SEIZED

1. Saliva, and or topical or oral skin cells of SYDNOR, to be obtained by means of an oral swab. This warrant also permits authorities to execute the search warrant with force if necessary.